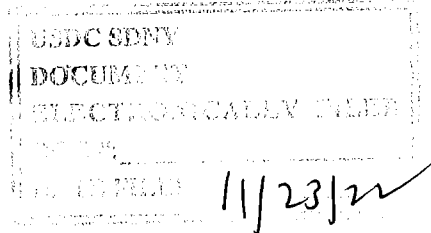


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



VINCENT ESPOSITO; JULY 4 EVER
FIREWORKS, INC.; and JULY 4 EVER CO.,
LTD.,

Plaintiffs,

v.

INFORMATION TECHNOLOGY CORP. OF
THE TRI-STATES; FIREWORKS
EXTRAVAGANZA, INC.; J&J COMPUTING,
INC., d/b/a FIREWORKS EXTRAVAGANZA;
and JOHN SAGARIA,

Defendants.

ORDER AND JUDGMENT

19 CV 2025 (VB)

On October 26, 2022, after a jury trial held from October 24 through October 26, 2022, the jury found in favor of plaintiffs in the above-captioned case. The jury found all defendants liable on plaintiffs' (i) Anticybersquatting Consumer Protection Act ("ACPA") claim, 15 U.S.C. § 1125(d), and (ii) conversion claim.

With respect to the ACPA claim, pursuant to 15 U.S.C. § 1117(d), the Court awarded plaintiffs statutory damages in the amount of \$9,000 against all defendants.

With respect to the conversion claim, the jury awarded plaintiffs (i) compensatory damages in the amount of \$10,000, and (ii) punitive damages in the amount of \$2,000, against each of defendants Information Technology Corp. of the Tri-States; J&J Computing, Inc. (d/b/a Fireworks Extravaganza); and John Sagaria. The jury did not award punitive damages against defendant Fireworks Extravaganza, Inc.

By Memorandum Opinion and Order dated November 21, 2022, the Court denied plaintiffs' application for attorney fees pursuant to 15 U.S.C. § 1117(a). (Doc. # 221).

By Memorandum Opinion and Order dated July 9, 2019 (Doc. #28), and by Opinion and Order dated April 19, 2022 (Doc. #172), the Court previously dismissed all of plaintiffs' other claims and defendants' counterclaims.

Accordingly, it is hereby **ORDERED, ADJUDGED, AND DECREED** that plaintiffs are awarded:

1. Statutory damages of \$9,000 on plaintiffs' ACPA claim against all defendants, jointly and severally.
2. Compensatory damages of \$10,000 on plaintiffs' conversion claim against all defendants, jointly and severally.
3. Punitive damages of \$2,000 on plaintiffs' conversion claim against defendant Information Technology Corp. of the Tri-States.
4. Punitive damages of \$2,000 on plaintiffs' conversion claim against defendant J&J Computing, Inc. (d/b/a Fireworks Extravaganza).
5. Punitive damages of \$2,000 on plaintiffs' conversion claim against defendant John Sagaria.

Dated: November 23, 2022
White Plains, NY

SO ORDERED:

A handwritten signature in black ink, appearing to read 'Vincent L. Briccetti', written over a horizontal line.

Vincent L. Briccetti
United States District Judge